

AS

BEFORE
THE PUBLIC SERVICE COMMISSION OF
SOUTH CAROLINA
DOCKET NO. 95-1201-C - ORDER NO. 96-213✓
MARCH 25, 1996

IN RE: Bobby Watts,)	ORDER
)	DENYING
Complainant,)	RECONSIDERATION
)	
vs.)	
)	
BellSouth Communications, Inc.,)	
)	
Respondent.)	
)	
)	

This matter comes before the Public Service Commission of South Carolina (the Commission) on the March 15, 1996 Petition to Reconsider Order filed by Mr. Bobby Watts, the Complainant in this matter. For the reasons set forth below, we hereby deny reconsideration.

First, Mr. Watts alleges that the Commission erred in finding that the Complainant requested relief that the Commission was without authority to grant. Mr. Watts states that he never requested the Commission to grant any monetary damages. Clearly, Mr. Watts requested an award of either \$7,500, or \$2,500 and an apology, neither of which can this Commission award. The first ground of the Petition is therefore without merit.

Second, the Complainant submits that the Commission erred in finding that he had no standing to file his complaint. He points out that the records show that the error caused him a considerable amount of trouble to straighten out. The record in this case reflects that the question in the case had to do with the potential misapplication of funds by BellSouth provided by Mr. Greg Watts to Mr. Bobby Watts account, therefore, leading to a termination of Mr. Greg Watts service. We reiterate our finding that Mr. Greg Watts had standing in this case to make the complaint, and not Mr. Bobby Watts, despite the fact that Mr. Bobby Watts attempted to straighten the matter out. This ground is therefore without merit.

Third, Mr. Watts states that the Commission erred in finding that the remaining arrearage of \$69.11 on his son's account moots the question of whether or not the son's account was improperly terminated. We again have reviewed this matter, and note the outstanding indebtedness of \$69.11 in Mr. Greg Watts account at that time. Therefore, the \$150.00 at issue in the case, being properly credited to Mr. Greg Watts account was not determinative as to whether or not Mr. Greg Watts telephone service was terminated. This point is without merit.

Finally, Mr. Watts states that his sole objective in pursuing this matter has always been 1) an admission by BellSouth that its actions in the matter were improper, and 2) that BellSouth's actions were not in keeping with its responsibilities as a regulated public utility when dealing with questions,

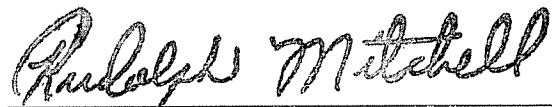
concerns, or complaints raised by the citizens of this State. This was not clear from Mr. Watts testimony. Again, we concluded that Mr. Watts was seeking damages in the matter. We find Mr. Watts' final ground to be without merit.

We have considered the Petition for Reconsideration as a whole, and in its parts, and have concluded, based on the reasoning as stated above that the Petition is without merit.

IT IS THEREFORE ORDERED THAT:

1. The Petition to Reconsider Order filed by Mr. Bobby Watts is hereby denied.
2. This Order shall remain in full force and effect until further Order of the Commission.

BY ORDER OF THE COMMISSION:


Chairman

ATTEST:


Executive Director

(SEAL)

Commissioner C. Dukes Scott dissenting:

I respectfully dissent from the Order of the majority in this matter which denies the Petition to Reconsider filed by Mr. Bobby Watts.

The Commission's Deputy Executive Director testified that the Respondent, BellSouth Communications, Inc. should not have

terminated the service of Mr. Watts' son.

I also disagree with the Commission's now finding that the Complainant had no standing to file the complaint. If this was a issue, it should have been addressed long before the Order of the Commission. I am also convinced that Mr. Watts is the proper party to bring the complaint due to his involvement.

Respectfully submitted,



C. Dukes Scott
Commissioner, Second District